FILED CHARLOTTE, NC

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

JUL 2 1 2015

CRIMINAL NO. 3:15cr99-MOC-DCK

US DISTRICT COURT WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA,	)
Plaintiff,	)
	) CONSENT ORDER AND
v.	) JUDGMENT OF FORFEITURE
	) PENDING RULE 32.2(c)(2)
DARRIS DEE MARSHALL,	)
	)
Defendant.	. )

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

- 1. The following property is forfeited to the United States pursuant to 18 U.S.C. § 924(d) and/or 28 U.S.C. § 2461(c), provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:
  - One Rossi, Model R351, .38 caliber revolver, serial number BR37097 with ammunition.
- 2. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.
- 3. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and requests for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.

The parties stipulate and agree that the aforementioned asset constitutes property involved in the offenses to which Defendant pled guilty and is therefore subject to forfeiture pursuant to 18 U.S.C. § 924(d) and/or 28 U.S.C. § 2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant. If the defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, defendant hereby withdraws that claim. If defendant has not previously submitted such a claim, defendant hereby waives all right to do so.

JILL WESTMORELAND ROSE ACTING UNITED STATES ATTORNEY

DANA O. WASHINGTON Assistant United States Attorney DARRIS DEE MARSHALL

Defendant

Attorney for Defendant

Signed this the 21st day of July, 2015

UNITED STATES MAGISTRATE

**JUDGE**